

IN THE
UNITED STATES DISTRICT COURT
FOR THE
WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 4:18-cr-00012
)	
DASHAWN ANTHONY, <i>et al.</i>)	

UNITED STATES' MOTION TO CONDUCT TRIAL
IN THE DANVILLE DIVISION

Comes now the United States, by counsel, and respectfully moves the Court to conduct the trial in the above-styled matter, currently scheduled to commence on January 13, 2020, in the Danville Division. In support of this Motion, the United States asserts:

By Order of this Court dated May 2, 2019, the Court directed that the trial of all defendants in *United States v. Anthony, et al.*, Case No. 4:18CR00012, be held in the Roanoke Division. (ECF No. 329). Given the number of defendants then going to trial and the physical limitations of the Danville courthouse, the Court had little option but to direct the trial be conducted in Roanoke. Although the trial could not be held in Danville, the Court Ordered that the jury be drawn from a Danville Division venire. *Id.* In so ruling, the Court made the following observations: (1) the events giving rise to this litigation occurred in Danville and primary affected its citizens; (2) the Danville Division citizens should not lose their opportunity to participate in the jury whose verdict will determine the outcome of a case that affects their community; and (3) the case emanates from the Danville Division and belongs there. *Id.* The Court further noted that “the only reason the parties and the court are forced to consider a jury

venire drawn from the Roanoke Division is the inadequacy of the Danville courthouse for a case of this size.” *Id.* The United States is in full agreement with each of the Court’s observations.

Since the Court’s ruling, another defendant has elected to enter a guilty plea thereby reducing the number of defendants currently scheduled for trial to four. The plea also reduces the number of defense counsel participating in the trial from nine to seven. The United States submits that these reductions now makes it possible to try the case in the Danville courthouse. The trial of this case in the Danville Division would return the case to the Division in which it belongs and would significantly reduce the burden on jurors who are already being drawn from this Division.

WHEREFORE, the United States of America requests that the Court conduct the trial in *United States v. Anthony, et al.*, Case No. 4:18CR0012, in the Danville Division.

Respectfully submitted,

THOMAS T. CULLEN
UNITED STATES ATTORNEY

Date: June 20, 2019

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CERTIFICATE OF SERVICE

I hereby certify that on this 20th day of June, 2019, a true and correct copy of the foregoing Motion to Conduct the Trial in the Danville Division has been electronically filed with the Clerk by CM/ECF system which will send notification of such filing to all counsel of record.

/s/Ronald M. Huber _____
Assistant United States Attorney